

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Whitman**
Application No. **10/010,955**
Attorney Docket No. **3556-P02472US1**
Filed: **November 13, 2001**
For: **Surgical Clamping, Cutting And Stapling Device**
Examiner: **Smith, Scott A.**
Group Art Unit **3721**

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to Commissioner for Patents, Alexandria, VA 22313-1450

February 4, 2004
Date of Certificate


Robin Dolan

Commissioner for Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449 and a copy of the references listed thereon. This Information Disclosure Statement is being filed together with a Request for Continued Examination. Accordingly no fee is required.

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By 

Donald R. Piper, Jr.
PTO Registration No. 29,337

Telephone: (215) 563-4100

Facsimile: (215) 563-4044

Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449

INFORMATION DISCLOSURE STATEMENT

Complete if known

Application Number: 10/010,955

Filing Date: November 13, 2001

First Named Inventor: Whitman

Group Art Unit: 3721

Examiner Name: Smith, Scott A.

SHEET 2 OF 7

Attorney Docket Number: 3556-P02472US1

UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
		3193165	07/06/1965	Alkhalaya, et al.
		3256875	06/21/1966	Tsepelev, et al.
		3388847	06/18/1968	Kasulin, et al.
		3552626	01/05/1971	Astafiev
		3858577	01/07/1975	Bass, et al.
		3859986	01/14/1975	Okada, et al.
		4085756	04/25/1978	Weaver
		4198960	04/22/1980	Utsugi
		4198982	04/22/1980	Formex, et al.
		4202479	05/13/1980	Razgulov, et al.
		4207898	06/17/1980	Becht
		4250873	02/17/1981	Bonnet
		4273109	06/16/1981	Enderby
		4273111	06/16/1981	Tsykaya
		4289133	09/15/1981	Rothfuss
		4304236	12/08/1981	Conta, et al.
		4310115	01/12/1982	Inoue
		4319576	03/16/1982	Rothfuss
		B1 4319576	02/25/1986	Rothfuss
		4351466	09/28/1982	Noiles
		4367729	01/11/1983	Ogiu
		4379457	04/12/1983	Gravener, et al.
		4445892	05/01/1984	Hussein, et al.
		4448188	05/15/1984	Loeb
		4473077	09/25/1984	Noiles, et al.
		4476863	10/16/1984	Kanshin, et al.

EXAMINER'S
SIGNATUREDATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT

SHEET 3 OF 7

Complete if known

Application Number: 10/010,955

Filing Date: November 13, 2001

First Name and Inventor: Whitman

Group Art Unit: 3721

Examiner Name: Smith, Scott A.

Attorney Docket Number: 3556-P02472US1

	4485817	12/04/1984	Swiggert
	4488523	12/18/1984	Schichman
	4499895	02/19/1985	Takayama
	4505272	03/19/1985	Utyamyshev, et al.
	4505414	03/19/1984	Filipi
	4559928	12/24/1985	Takayama
	4573468	03/04/1986	Conta, et al.
	4574806	03/11/1986	McCarthy
	4576167	03/18/1986	Noiles
	4589412	05/20/1986	Kenscy
	4592354	06/06/1986	Rothfuss
	4593679	06/10/1986	Collins
	4603693	08/05/1986	Conta, et al.
	4646745	03/03/1987	Noiles
	4667673	05/26/1987	Li
	4672961	06/16/1987	Davies
	4696667	09/29/1987	Masch
	4700703	10/20/1987	Resnick, et al.
	4703887	11/03/1987	Clanton, et al.
	4708141	11/24/1987	Inoue, et al.
	4752024	06/21/1988	Green, et al.
	4754909	07/05/1988	Barker, et al.
	4760840	08/02/1988	Fournier, Jr., et al.
	4776506	10/11/1988	Green
	4817847	04/04/1989	Redtenbacher, et al.
	4819632	04/11/1989	Avant, et al.
	4893622	01/16/1990	Green, et al.
	4903697	02/27/1990	Resnick, et al.
	4907591	03/13/1990	Vasconcellos, et al.

EXAMINER'S SIGNATURE	DATE CONSIDERED
-------------------------	--------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT

Complete if known

Application Number: 10/010,955

Filing Date: November 13, 2001

First Named Inventor: Whitman

Group Art Unit: 3721

Examiner Name: Smith, Scott A.

SHEET 4 OF 7

Attorney Docket Number: 3556-P02472US1

	4917114	04/17/1990	Green, et al.
	4930494	06/05/1990	Takehana, et al.
	4957499	09/18/1990	Lipatov, et al.
	4962877	10/16/1990	Hervas
	4976710	12/11/1990	Mackin
	4994060	02/19/1991	Rink, et al.
	5201325	04/13/1993	McEwen, et al.
	5267997	12/07/1993	Farin, et al.
	6126058	07/10/2000	Adams, et al.
	6119913	07/09/2000	Adams, et al.
	3079606	03/05/1963	B.S. Bobrov, et al.
	3490675	01/20/1970	D.T. Green, et al.
	3618842	11/09/1971	Bryan
	3662939	05/16/1972	Bryan
	3815476	06/11/1974	Green, et al.
	4429695	02/07/1984	Green
	4445509	05/01/1984	Auth
	4520817	06/04/1985	Green
	4605001	08/12/1986	Rothfuss, et al.
	4606343	08/19/1986	Conta, et al.
	4610383	09/09/1986	Rothfuss, et al.
	4631052	12/23/1986	Kensey
	4671445	06/09/1987	Barker, et al.
	4784137	11/15/1988	Kulik, et al.
	4892244	01/09/1990	Fox, et al.
	4928699	05/29/1990	Sasai
	4995877	02/26/1991	Ams, et al.
	5040715	08/20/1991	Green, et al.
	5071430	12/10/1991	de Salis, et al.

EXAMINER'S
SIGNATURE

DATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT

Complete if known

Application Number: 10/010,955

Filing Date: November 13, 2001

First Named Inventor: Whitman

Group Art Unit: 3721

Examiner Name: Smith, Scott A.

Attorney Docket Number: 3556-P02472US1

SHEET 5 OF 7

	5170925	12/15/1992	Madden, et al.
	5192292	03/09/1993	Cezana, et al.
	5289963	03/01/1994	McGarry, et al.
	5312023	05/17/1994	Green, et al.
	5318221	06/07/1994	Green, et al.
	5326013	07/05/1994	Green, et al.
	5383880	01/24/1995	Hooven
	5413267	05/09/1995	Solyntjes, et al.
	5467911	10/21/1995	Tsuruta, et al.
	5482197	01/09/1996	Green, et al.
	5485947	01/23/1996	Olson, et al.
	5518163	05/21/1996	Hooven
	5518164	05/21/1996	Hooven
	5779130	07/14/1998	Alesi, et al.
	5782396	07/21/1998	Mastri, et al.
	5594259	07/09/1999	Viola, et al.
	5868760	07/02/1999	McGuckin, Jr.
	5667517	07/09/1997	Hooven
	5653374	07/08/1997	Young, et al.
	5433721	07/07/1995	Hooven, et al.
	5395033	07/03/1995	Byrne, et al.

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
		0 947 167	EP	10/06/1999	
		83/00992	WO	03/31/1983	
		91/07136	WO	05/30/1991	
		93/14706	WO	08/05/1993	

EXAMINER'S
SIGNATURE

DATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT

Complete if known

Application Number: 10/010,955

Filing Date: November 13, 2001

First Named Inventor: Whitman

Group Art Unit: 3721

Examiner Name: Smith, Scott A.

SHEET 6 OF 7

Attorney Docket Number: 3556-PO2472US1

	99/20328	WO	04/29/1999
	00/72765	WO	12/07/2000
	01/08572	WO	02/08/2001
	01/62163	WO	08/30/2001
	4,312,147	DE	10/21/1992
	0 121 474	EP	10/10/1984
	0 536 903	EP	04/14/1993
	0 653 922	EP	12/15/1999
	0 705 571	EP	04/10/1996
	2,660,851	FR	10/18/1991
	4213426	DE	10/29/1992
	0 116 220	EP	08/22/1984
	0 514 139	EP	11/19/1992
	0 539 762	EP	10/05/1992
	0 598 579	EP	05/25/1994
	2,044,108	GB	10/15/1980
	98/141,129	WO	04/09/1998
	0 634 144	EP	01/18/1995
	99/58076	WO	11/18/1999
	92/16141	WO	10/01/1992
	0 156 774	EP	10/02/1985
	90/05491	WO	05/31/1990
	82/03545	WO	10/28/1982
	95/18572	WO	07/13/1995
	95/35065	WO	12/28/1995
	2903159	DE	07/31/1980
	0 216 532	EP	04/01/1987
	0 593 920	EP	09/22/1993
	98/14129	WO	04/09/1998

EXAMINER'S
SIGNATUREDATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT

Complete if known

Application Number: 10/010,955

Filing Date: November 13, 2001

First Named Inventor: Whitman

Group Art Unit: 3721

Examiner Name: Smith, Scott A.

Attorney Docket Number: 3556-P02472US1

SHEET 7 OF 7

	0 552,050	EP	01/15/1993
	0 621,006	EP	03/22/1994
	0 399 701	EP	05/10/1990
	0 539 762	EP	10/05/1992
	0 552 050	EP	01/15/1993
	0 621 006	EP	03/22/1994
	93/08754	WO	05/13/1993
	7 711 347	NL	04/19/1979
	3 300 768	DE	07/19/1984
	2 180 455	GB	04/01/1987

OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		2002/0032451 A1 US Published Patent Application
		2002/0032452 A1 US Published Patent Application
		2002/0042620 A1 US Published Patent Application
		2002/0045888 A1 US Published Patent Application
		2002/0055795 A1 US Published Patent Application
		2002/0072736 A1 US Published Patent Application
		2001/031975 US Published Patent Application
		New York Magazine, June 10, 2002 . The Best Doctors in New York, p. 80 (in the form of a website archive printout)

EXAMINER'S
SIGNATURE

DATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.